EXHIBIT 4: Mitigation, Monitoring, and Reporting Plan

684-76

RESOLUTION NO. 66098

RESOLUTION OF THE CITY COUNCIL OF SAN JOSE MAKING CERTAIN FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH A PROJECT CONSISTING OFF THE KELLEY PARK MASTER PLAN FOR PROPERTY LOCATED AT THE SOUTHEASTERN CORNER OF SENTER AND STORY ROADS TO MODIFY, UPGRADE AND EXPAND EXISTING PARK ELEMENTS AND TO DEVELOP THE VACANT EASTERN PORTION OF THE PARK, INCLUDING A NEIGHBORHOOD PARK, NATURAL SCIENCE EXHIBIT BUILDING, PICNIC AREAS AND PARKING, ON APPROXIMATELY 172 ACRES, FOR WHICH AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

WHEREAS, the Council intends to approve the Kelley Park Master Plan to modify, upgrade and expand existing park elements that are currently used in the developed western portion of the site; integrate plans to upgrade existing park features with the future eastern expansion; and develop the vacant eastern portion of the site on approximately 172 acres. The Kelley Park Master Plan incorporates the expansion of Happy Hollow Park and Zoo use areas addressed under a separate master planning process, construct a levee along the northwestern portion of Coyote Creek, construct two pedestrian bridges across Coyote Creek, construct a new entry/ plaza area to Happy Hollow Park and Zoo; reuse the Leininger Center as a conference center; incorporates the expansion and further development of the San Jose Historical Museum addressed under a separate master plan; develop and upgrade a new internal pedestrian circulation system; develop a new parking area on the Roberts

Avenue Landfill; develop a new neighborhood park and group and individual picnic areas in the eastern project area; and develop a natural science exhibit building.

Whereas, the California Environmental Quality Act (CEQA) of 1970, as amended, requires that, in the approval of a project for which an Environmental Impact Report (EIR) has been prepared, the decision-making body shall review said EIR and make certain findings regarding the significant effects on the environment identified in said EIR; and

Whereas, such project was the subject of an Environmental Impact Report (EIR) entitled Final Environmental Impact Report for the Kelley Park Master Plan prepared by the City of San Jose as the Lead Agency in compliance with the requirements of the California Environmental Quality Act of 1970, as amended, and the said EIR was found to be complete by the City of San Jose Planning Commission on October 17, 1994; and

Whereas, the City Council of the City of San Jose is the decision-making body for approval of the Kelley Park Master Plan; and

Whereas, this Council does hereby certify that as a decision-making body, it has considered and approved the information contained in such EIR prior to acting upon or approving such project.

NOW THEREFORE, THE COUNCIL DOES HEREBY make the following findings with respect to the significant effects on the environment of such project as identified in the hereinbefore mentioned EIR.

TRANSPORTATION AND CIRCULATION

1. IMPACT: An increase in traffic volumes at the Senter Road/Happy Hollow parking lot entrance would result in significant degradation of the reserve capacity at this intersection.

   MITIGATION: The following mitigation is included in, and would be implemented by the project. Signalize the Senter Road/Happy Hollow parking lot entrance intersection.

   FINDINGS: Degradation of the reserve capacity at Senter Road and the Happy Hollow parking lot entrance will be reduced to a less than-significant-impact, with the implementation of the mitigation identified above.

   MONITORING AND REPORTING: The City of San Jose Department of Streets and Parks will monitor the above mitigation by inspecting and verifying implementation of the signal prior to completion of development in the western park area.

2. IMPACT: An increasing in the number of visitors to Kelley Park resulting from the implementation of the Master Plan may increase the number of vehicles parking on adjacent neighborhood streets creating a significant parking impact.

   MITIGATION: The project would implement the following programmatic mitigation measures to reduce this impact.

   - Prepare a traffic control plan for Kelley park traffic and parking during special event days;
   - Post signs in strategic locations directing visitors to overflow lots during special events;
   - Hire traffic control personnel for use during special events; and
   - Encourage convenient and affordable parking at onsite lots to ensure parking lots are fully used.

   FINDINGS: Significant parking impacts on streets adjacent to Kelley Park will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: The City of San Jose Department of Public Works, Landscape Architecture Division will coordinate with the Department of Streets and Parks to verify implementation of mitigation measures identified above and implementation of a traffic control plan during special events at the park.

AIR QUALITY

1. IMPACT: Temporary exposure of residents to construction equipment emissions during on-site grading and development activities are assumed to exceed the emission thresholds for CO, ROG, NOx, and PM10, which would result in a significant air quality impact.

   MITIGATION: Standard construction practices to reduce dust and equipment emissions, including the following would be employed at all construction sites:

   - Construction contractors would sprinkle exposed areas, including soil piles left for more than 2 days, with sufficient water to control windblown dust and dirt.

   - Construction contractors would cover or water all soil transported offsite, if any, to prevent excessive dust release.

   - Construction contractors would sweep streets adjacent to the project at least daily to remove silt accumulated from construction activities.

   - Construction contractors would limit construction vehicle speeds to 15 miles per hour on unpaved surfaces.

   - Construction contractors would properly maintain all construction equipment, including exhaust systems, mufflers, cooling fans, engines, and transmissions.

   FINDINGS: Implementation of the above mitigation measures will reduce construction-related air quality impacts to a less-than-significant level.

   MONITORING AND REPORTING: Construction air quality mitigation will be monitored by the Department of Public Works, Landscape Architectural Division inspectors.

2. IMPACT: Increased exposure of residents to traffic-related CO emissions of more than 550 ppd would result in a significant air quality impact.

   MITIGATION: No feasible mitigation measures exist that would reduce this impact to a less-than-significant level.

FINDINGS: Significant increases in traffic-related CO emissions are infeasible to mitigate; therefore this impact is considered significant and unavoidable.

STATEMENT OF OVERRIDING CONSIDERATION: Although implementing the Kelley Park Master Plan would result in significant and unavoidable traffic-related CO emissions, the project would provide regional and neighborhood park and recreation benefits associated with an expanded park facility. In addition to filling a need for additional regional park facilities, including additional picnic areas and open space; the implementation of the Kelley Park Master Plan would include the construction of a neighborhood park to meet local neighborhood demand in an area of the City that is currently neighborhood park deficient. Providing park facilities that conveniently serve the local neighborhood will, in the long-term, reduce park and recreation related traffic (and therefore CO emissions) because neighborhood residents will no longer need to drive to other city parks outside their neighborhood for access to recreation facilities. The benefits of the local neighborhood park and of increased regional park facilities would outweigh the significant and unavoidable CO emission impact of the project.

NOISE

1. IMPACT: Increased exposure of residents to construction noise intermittently over a 20-year period would result in a significant construction-related noise impact.

   MITIGATION: The following noise-reducing practices would be implemented by the construction contractor at all construction sites in Kelley Park throughout the construction period to reduce noise from construction activities.

   - Restrict construction within 2000 feet of residences to the period between 7:00 a.m and 6:00 p.m. on weekdays. No construction shall be performed within 2,000 feet of an occupied dwelling unit on Sundays, legal holidays, or between the hours 6:00 p.m and 7:00 a.m. on other days.

   - Perform routine maintenance, including oil changes and tune-ups, of all construction vehicles and equipment according to manufacturer's specifications.

   - Supply all equipment with sound-control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.

   - If noise complaints are received regarding construction activities, the contractor shall, as directed by the City, implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting

off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction sources.

FINDINGS: Significant construction-related noise impacts will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: The City of San Jose Department of Public Works, Landscape Architecture Division will verify that the above mitigation measures are implemented by the park construction contractors.

PUBLIC SERVICES AND FACILITIES

1. IMPACT: Implementation of the Master Plan would result in a need to substantially upgrade the onsite water collection infrastructure to provide adequate sewer trunk line capacity and to provide a required combined wastewater and drainage infrastructure for the Happy Hollow Zoo.

   MITIGATION: The following mitigation measures would be implemented to ensure adequate wastewater service.

   - Upgrade or replace the 8-inch sewer trunk line currently serving the project site to provide adequate wastewater collection service for current and proposed new park facilities

   - Construct the drainage system for Happy Hollow Zoo to flow into the sanitary sewer system

   FINDINGS: Significant wastewater impacts resulting from the implementation of the Kelly Park Master Plan will be reduced to a less-than-significant level by implementation of the mitigation measures identified above.

   MONITORING AND REPORTING: The City of San Jose Department of Public Works, Landscape Architecture Division will verify implementation of the mitigation measure identified above.

GEOLOGY AND SOILS

1. IMPACT: Strong ground shaking resulting from seismic activity on one of the active faults in the Bay Area could impact development resulting from the implementation of the Master Plan.

   MITIGATION: Buildings and bridges associated with the master plan would be engineered and constructed to account for expected earthquake-induced dynamic loads. All buildings and structures would be designed according to requirements of the

Uniform Building Code to minimize damage to structures or hazards to patrons from seismic events

FINDINGS: Implementation of the mitigation measure identified above will reduce seismic hazards from ground shaking to a less-than-significant level.

MONITORING AND REPORTING: The City of San Jose Department of Public Works, Landscape Architecture Division will oversee and verify that the mitigation measure identified above are implemented by the project engineering and construction contractors.

2. IMPACT: Construction of structures on the Roberts Avenue Landfill, such as picnic pavilions, the operations center and the northern bridge foundations could exceed the low bearing capacity of the unconsolidated soils of the landfill materials.

MITIGATION: The following mitigation is included in the project.

- A qualified geotechnical engineer will conduct site-specific geotechnical investigations for all proposed building sites and bridges to determine the precise bearing capacity of foundation materials.

- Measures recommended by geotechnical studies, such as use of piles, ground improvement using dynamic compaction, or overexcavation and recompaction will be implemented to eliminate hazards from low-bearing- capacity soils.

FINDINGS: Mitigation included in the project will reduce the potential significant impact of low bearing-capacity soils to a less-than-significant level.

MONITORING AND REPORTING: Prior to construction the required geotechnical report will be submitted to the Director of Public works for review and approval. The City of San Jose Department of Public Works, Landscape Architecture Division inspectors will ensure that the mitigation is implemented in conformance with the recommendations of the required geotechnical investigations.

3. IMPACT: Implementation of the Master Plan could result in increase in stormwater runoff from development in the project area that could cause substantial erosion in the area of the landfill and on steep Coyote Creek banks.

MITIGATION: A city-approved drainage plan will be developed and implemented to control and direct stormwater runoff from parking lots, building sites, and picnic areas into lined drainage channels and storm drains. The plan will include

requirements for an impermeable soil cover that complies with State of California landfill closure requirements.

FINDINGS: Implementation of the mitigation measures identified above will reduce the potential significant increases in soil erosion to a less-than-significant level.

MONITORING AND REPORTING: The City of San Jose Department of Public Works will oversee development and ensure the implementation of the mitigation measures identified above by the park engineers and construction contractors.

CULTURAL RESOURCES

1. IMPACT: Modification of the Kelley House could result in alteration of architectural design, details, or materials of a property potentially eligible for inclusion in the National Register of Historic Places (NRHP) and potentially eligible for city landmark status.

   MITIGATION: The following mitigation measures are included in the project.

   - Before modifications are made to the Kelley House, a qualified architectural historian would conduct a complete evaluation of the building to determine whether it qualifies for the NRHP or meets city landmark status criteria.

   - If, after the evaluation, the Kelley House is determined to be eligible for inclusion in the NRHP or city landmark status, ways to avoid, minimize, or reduce the effects of the project will be sought in consultation with the architectural historian, the State Historic Preservation Officer and the City Historic Preservation Officer.

   - If the Kelley House is determined to be eligible for city landmark status, the public works department would initiate an application for city landmark status. If the Kelley House is identified as a city landmark, the project would require and would apply for a Historic Preservation Permit from the City Department of Planning and Building.

   - Subsurface excavation in the vicinity of the Kelley House will be monitored to the extent determined by a qualified archaeologist or historian.

   FINDINGS: The project includes mitigation measures that would reduced potentially significant impacts to the Kelley House to a less-than-significant level.

   MONITORING AND REPORTING: Prior to any modification of the Kelley House, a report prepared by a qualified architectural

historian, evaluating the significance of the Kelley House will be submitted to the Director of Planning for review and approval. If the Kelley House is determined to be eligible for inclusion in the NRHP or city landmark status, ways to avoid, minimize, or reduce the effects of the project will be sought by the Department of Planning and Building in consultation with the architectural historian, the State Historic Preservation Officer and the City Historic Preservation Officer. If Kelley House is determined to be eligible for City Landmark status the City Historic Preservation Officer will ensure that the Department of Public Works initiates an application for City Landmark status and applies for a Historic Preservation Permit.

Any subsurface excavation in the vicinity of the Kelley House will be monitored a qualified archaeologist or historian. A report summarizing the results of the monitoring activity will be submitted to the Director of Planning.

2. IMPACT: Implementation of the project could result in destruction or modification of all or part of archaeological site KP-1. In addition, the project would involve excavation in others areas of Kelley Park that are identified as archaeologically sensitive where a potential exists for unidentified cultural materials.

MITIGATION: The following mitigation measures are included in the project.

- Subsurface testing will be conducted before expansion of the SJHM and construction of parking facilities to adequately define the site subsurface extent and integrity, and to define the cultural components at the site.

- If the site is determined to be eligible for listing in the NRHP, ways to avoid, minimize, or reduce effects of the project on KP-1 will be sought in consultation with the State Historic Preservation Officer. These measures may include, but would not be limited to, avoidance, excavation, and archaeological monitoring.

- Areas along Coyote Creek will be monitored to the extent determined by a qualified archaeologist. If cultural materials are encountered during construction of other activities, work would be stopped until a qualified archaeologist can evaluate the finds. Mitigation measures will be developed for all cultural resources determined to be eligible for inclusion in the NRHP.

- If subsurface excavation is required at site KP-1, the excavation will be monitored to the extent determined by a qualified archaeologist.

FINDINGS: The project includes specific mitigation measures that would reduce potentially significant impacts to subsurface archaeological resources to a less-than-significant level.

MONITORING AND REPORTING: A report by a qualified archaeologist will be submitted to the Director of Planning summarizing the results of the subsurface testing and archival research for site KP-1. If subsurface excavation is required at site KP-1 during construction it will be monitored to the extent determined by a qualified archaeologist. A report summarizing the results of the monitoring will be submitted to the Director of Planning.

arch. report

HYDROLOGY AND WATER QUALITY

1. IMPACT: The incremental increase in stormwater runoff to Coyote Creek from the new parking areas is considered a significant impact because it would contribute to downstream flood levels and possible streambank erosion and downcutting.

   MITIGATION: The following mitigation is included in the project to reduce hydrology and flooding impacts. Best Management Practices to reduce incremental flooding from parking lot runoff will be integrated into the drainage design for the proposed parking lot as required in the NPDES municipal stormwater permit. The drainage system design could incorporate both flood control and water quality goals. Incremental runoff contributions from parking lots can be reduced during storms by delaying runoff to the creek channel through use of natural swales, detention basins, or gravel percolation basins.

   FINDINGS: Incremental increase in stormwater to Coyote Creek from parking areas will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

   MONITORING AND REPORTING: Prior to the start of grading the City of San Jose Department of Public Works will verify that a drainage plan has been developed that incorporates BMPs into the drainage design to delay runoff to Coyote Creek till after the peak periods. The City of San Jose Department of Public Works, Landscape Architecture Division inspectors will verify that the drainage plan has been implemented by the project contractors.

2. IMPACT: Incremental increases in flood elevation due to the construction of the proposed levee and pedestrian bridges would result in potentially significant impacts to the safe passage of floodwaters through the park property and surrounding area.

MITIGATION: The following mitigation is included in the project.

- o A portion of the SJHM expansion area would be graded to accommodate additional flooding. This would be coordinated with the SCVWD.

- o Park design, including landscaping, grading and placement of buildings, would comply with FEMA standards and the City of San Jose Flood Hazard Ordinance.

FINDINGS: Incremental increase in flood elevations from the zoo levee and southern pedestrian bridge will be reduced to a less-than-significant level by implementing the mitigation measure identified above.

MONITORING AND REPORTING: The City of San Jose Department of Public Works will verify the grading with engineering and construction contractors before site grading occurs. The City will coordinate with SCVWD to ensure that all flood safety requirements are met.

Prior to the completion of the levee and pedestrian bridges the City of San Jose Department of Public Works, Landscape Architecture Division will verify that project engineers have developed grading plans for the SJHM expansion area that accommodate the increased flooding resulting from the construction of the levee and bridges. Department of Public Works inspectors will verify that the project contractors have implemented the grading plan.

3. IMPACT: The implementation of Kelley Park Master Plan would result in a significant water quality impact from the incremental increase in stormwater runoff and associated pollutants generated by the new paved parking areas. These would adversely contribute to the existing poor water quality conditions in Coyote Creek.

MITIGATION: The following mitigation is included in the project to reduce water quality impacts.

- o Integrate BMPs for stormwater pollution into the drainage system design. The municipal stormwater NPDES permit lists options and alternatives to reduce stormwater pollution from new development projects, including use of small detention basins, grassy swales, overland flow, and other measures.

- o Clean up and restore the segment of Coyote Creek that boarders Kelley Park to enhance and improve the creek's water quality.

FINDINGS: Incremental increase in stormwater runoff and associated pollutants generated by new paved parking areas is

considered a significant impact and will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: Prior to grading the City of San Jose Department of Public Works will verify that the project plans incorporate the above mitigation measures. The Department of Public Works will also verify the implementation of the plans by the park construction contractors.

4. IMPACT: Incremental increases in turbidity and total suspended solids (TSS) in Coyote Creek from bridge, parking lot and levee construction would adversely contribute to poor water quality conditions in Coyote Creek, contribute to documented siltation problems and contribute to incremental reduction in the hydraulic carrying capacity of the creek.

MITIGATION: The project includes the following mitigation measures to reduce construction water quality impacts resulting from the implementation of the Master Plan.

- Prepare a stormwater pollution prevention plan and monitoring program for the construction activities associated with the Master Plan to comply with the requirements of the NPDES general permit. The prevention plan and monitoring program will be designed to reduce soil erosion and siltation of Coyote Creek to the maximum extent practicable. The following BMPs are a few examples (but not a complete list) of measures that should be included in the plan:

  - Stabilize denuded areas before the wet season (October 1 through May 1)

  - Limit construction access routes and stabilizing access points

  - Protect adjacent properties with sediment barriers, dikes, or mulching

  - Stabilize and prevent erosion from temporary conveyance channels and outlets

FINDINGS: Incremental increases in turbidity and TSS associated with the project will be reduced to a less-than-significant level by implementing the mitigation measures included in the project as identified above.

MONITORING AND REPORTING: Prior to the start of grading the City of San Jose Department of Public Works will verify that the project has developed a stormwater pollution prevention and monitoring plan in conformance with the NPDES general permit. The Public Works department will also verify the

implementation of the mitigation measures and monitoring by the park engineering and construction contractors.

VEGETATION, WILDLIFE, AND FISHERIES RESOURCES

1. IMPACT: Construction of two pedestrian bridges, Phelan Avenue crossing and the construction of trails as proposed in the Master Plan would result in the loss of 1.45 acres of riparian forest vegetation, which is considered a significant impact. The construction of the proposed levee would not result in a loss or degradation of riparian vegetation.

   MITIGATION: The project would implement the following mitigation measures for the loss of riparian vegetation that are included in the project.

   - Locate proposed trails, where feasible, to contour Coyote Creek, outside the riparian zone to avoid removing high-quality riparian vegetation and to minimize disturbance of wildlife that use the riparian habitat.

   - Locate the equestrian path, where feasible, to avoid, native riparian trees in the Coyote Creek riparian corridor.

   - Develop a riparian and wetland restoration plan, by a qualified restoration specialist and plant ecologist, incorporating, but not limited to the following:

     - Replacement ratios: Loss of mature mixed riparian forest and wetland habitat acreage will be mitigated at a 3:1 replacement ratio (in kind) to ensure riparian habitat of equal or greater value and to ensure no net loss of wetland value.

     - Location of mitigation areas: Riparian and wetland habitat mitigation areas will be provided on site to the extent possible. Selection of sites will focus on sites in or near the project area that are either heavily degraded or that previously supported riparian or wetland vegetation along the banks of Coyote Creek.

     - Develop planting plan: Establish baseline values for riparian and wetland habitat within the Coyote Creek corridor including but not limited to the following: data on plant density, species composition, habitat structure, and edaphic factors. Baseline data will assist in determining the composition of species to be included in the planting plan. Replace any removed native riparian tree or shrub species with the same or similar species at a ratio of 5:1.

- Develop performance standards, monitoring program and contingency plans: Develop performance standards against which the success the of wetland replacement plan will be measured, and develop a monitoring program and a contingency plan to ensure attainment of that standard: The restoration effort will be monitored for a minimum of 5 years. Monitoring will focus on survivor counts by species. All planting will have an overall survival rate of 80% by the fall of the fifth year of monitoring. When a species fails to achieve its performance standard, replacement planting will be initiated in conformance with the contingency plan.

- Consultation: Consult California Department of Fish and Game and other involved agencies prior to, and during the development of the plan.

o Remove invasive non-native plant species that do not provide wildlife habitat, such as giant reed. Replace nonnative vegetation that has been removed during construction with native trees and shrubs.

o Implement a riparian corridor maintenance plan designed by a qualified restoration specialist. This maintenance plan should include required monitoring and replacement planting actions.

The following mitigation measures that are included in the project would further reduce the less-than-significant impacts to the riparian zone from construction of the levee:

o Erect high-visibility temporary fences between levee construction and the riparian zone; and

o Limit levee construction activities and storage of construction equipment to the west side of the levee.

FINDINGS: The implementation of the specific mitigation measures identified above that are included in the project would reduced the loss of 1.45 acres of riparian habitat associated with the project to a less-than-significant level.

MONITORING AND REPORTING: The City of San Jose Department of Public Works, Landscape Architecture Division will oversee development of and verify implementation of the mitigation measures identified above. The Department of Public Works would maintain a liaison with applicable resource management agencies. Prior to the start of any construction that could impact the Coyote Creek riparian corridor, the Department of Public Works would obtain all relevant permits and approvals from the California Department of Fish and Game and other involved agencies. Prior to the start of any construction that could impact the riparian corridor the City of San Jose

Director of Planning will verify that a satisfactory riparian and wetlands restoration plan has been prepared by a qualified biologist.

2. IMPACT: The proposed construction of two pedestrian bridges and the Phelan Avenue crossing would result in the loss of 0.2 acre of wetlands, which is considered a significant impact.

MITIGATION: The following mitigation to reduce the impacts from the loss of wetlands is included in the project.

- Minimize the area of riparian habitat affected by park improvements near Coyote Creek. Erect high-visibility temporary fences on either side of each bridge to separate the limits of riparian habitat from protected areas. Limit construction activity in the riparian corridor as much as possible.

- Remove all debris and excess fill material from the riparian zone and creek channel following construction activities. Remove industrial and household debris to improve creek channel wetland habitat.

- Consult with DFG to determine whether a streambed alteration agreement is necessary under Section 1601 of the California Fish and Game Code.

- Consult with the Corps to determine whether a permit for filling of a jurisdictional wetland is necessary as a condition of constructing the bridges.

- Develop wetlands restoration plan. See Wildlife, Vegetation and Fisheries Resources Impact #1 above.

FINDINGS: The loss of 0.2 acres of wetlands is considered a significant impact that will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: Prior to the start of construction affecting wetlands, the Department of Public Works will apply for and obtain any applicable permits from the California Department of Fish and Game and the Corps of Engineers. The City of San Jose Department of Public Works will oversee development of and verify implementation of the mitigation measures identified above.

3. IMPACT: Increased human disturbance of habitat along Coyote Creek would result in a significant impact.

MITIGATION: Same as identified for Wildlife, Vegetation and Fisheries Resources Impact #1 above.

FINDINGS: Increased human disturbance of habitat along Coyote Creek is considered a significant impact that will be reduced to a less-than-significant level by implementing the mitigation measures identified for impact #1 above.

MONITORING AND REPORTING: Same as identified for Wildlife, Vegetation and Fisheries Resources Impact #1 above.

4. IMPACT: Temporary increases in turbidity and total suspended solids in Coyote Creek during bridge construction could lead to an incremental decrease in downstream spawning habitat and spawning success of both warmwater and anadromous fish, which is considered a significant impact.

MITIGATION: The following mitigation is included in the project.

- o Instream construction activities will be avoided between November 1 and June 30.
- o Contractors will be required to use BMPs during bridge construction, such as the following:
  - Minimizing disruption of the creekbed at and adjacent to the construction site to the extent possible, by implementing DFG's guidelines for temporary stream diversion (California Department of Fish and Game 1992)
  - Grading spoil sites to minimize surface erosion and siltation in the creekbed
  - Avoiding riparian vegetation wherever possible
  - Covering bare areas with mulch and revegetating all cleared areas
  - Establishing a spill prevention and countermeasure plan before the start of project construction that includes strict onsite handling rules

FINDINGS: Temporary increases in turbidity and total suspended solids in Coyote Creek during bridge construction are considered significant impacts that will be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: The City of San Jose Department of Public Works will oversee development of and verify implementation of the mitigation measures identified above.

5. IMPACT: Implementation of the expansion of Kelley Park could potentially impact burrowing owls.

MITIGATION: The following mitigation is included in the project.

- At least one month prior to the start of grading or construction of specific projects in the landfill area, a qualified biologist would conduct a burrowing owl survey using the current California Department of Fish and Game protocol. If burrowing owls are not found at the project site then no further surveys would be necessary.

- If burrowing owls are located during the field surveys a qualified biologist would prepare a burrowing owl relocation and management plan, subject to review and approved by the City of San Jose Department of Planning and Building and the California Department of Fish and Game and the U.S. Fish and Wildlife Service. The plan could include, but not be limited to the following:

  - Artificial burrow construction
  - Owl relocation
  - Habitat acquisition or enhancement
  - Relocation of owls during the non-nesting season (approximately September to February)
  - Applicable approval from DFG and U.S. Fish and Wildlife Service

FINDINGS: Potentially significant impacts to borrowing owls would be reduced to a less-than-significant level by implementing the mitigation measures identified above.

MONITORING AND REPORTING: The City of San Jose Department of Public Works will oversee development of and verify implementation of the mitigation measures identified above with DFG and USFWS prior to the start of grading and construction activities on the Roberts Avenue Landfill.

CUMULATIVE IMPACTS

1. IMPACT: Cumulative land use impacts in the City of San Jose from implementation of the San Jose 2020 General Plan would result from the incompatibility of developing high-density residential uses adjacent to single-family neighborhoods in some of the intensification corridors and converted sites. Implementation of the proposed project would not contribute to this significant cumulative land use impact.

MITIGATION: Implementation of the San Jose 2020 General Plan "City Concept"; "Community Development"; and "Aesthetic, Cultural, and Recreational Resources" chapter policies

FINDING: Cumulative land use incompatibility impacts associated with implementing the San Jose 2020 General Plan would be reduced to less-than-significant levels by implementing the mitigation identified above. Implementation of the proposed Master Plan does not involve the construction of high-density housing adjacent to single-family neighborhoods and would, therefore, not contribute to this cumulative impact.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

2. IMPACT: Conversion of open space land allowed under the San Jose 2020 General Plan would result in significant loss of open space and prime agricultural land (especially in the South Almaden Valley Urban Reserve). Substantial visual resource impacts would also result from loss of open space areas. Implementation of the proposed Kelley Park Master Plan would convert 56 acres of undeveloped open space to park and recreation open space uses, this would not contribute to the cumulative loss of open space and visual resources. Implementation of the project could result in the loss of 30 acres of former agricultural lands, which would not substantially contribute to this cumulative loss of agricultural lands because the site has previously been designated for park development and the site currently has no agricultural value.

MITIGATION: No mitigation is available to reduce these cumulative land conversion and visual resource impacts to less-than-significant levels.

FINDINGS: The proposed project does not contribute to the loss of open space or visual resources, but does contribute to the cumulative loss of agricultural lands resulting from the implementation of the 2020 General Plan. The cumulative loss of agricultural lands is considered significant and unavoidable.

STATEMENT OF OVERRIDING CONSIDERATION: Although implementing the Kelley Park Master Plan would contribute to a significant unavoidable cumulative loss of agricultural lands, implementation of the Kelley Park Master Plan would provide needed additional regional park and recreation facilities including picnic areas and open space. In addition the implementation of the Kelley Park Master Plan would include the construction of a neighborhood park to meet local neighborhood demand in an area of the City that is currently neighborhood park deficient. The benefits of providing regional and local neighbor-

hood park facilities would outweigh the significant and unavoidable cumulative loss of agricultural lands.

3. IMPACT: The project would contribute to the cumulative increase in regional emissions projected with the implementation of San Jose 2020 General Plan, which would contribute to an already existing violation of air quality standards for ozone and PM-10. Continued improvement in air quality is projected through the year 2020, although attainment of all air quality standards within the Bay Area is not anticipated by that time.

MITIGATION: The cumulative regional air quality impacts would be reduced by the continued implementation of regional air quality plans and policies, including implementation of Transportation Control Measures (TIM's) in association with the cumulative developments resulting from the build-out of the San Jose 2020 General Plan.

FINDINGS: Significant cumulative regional air quality impacts will be reduced by the implementation of the mitigation identified above; however, cumulative air quality impacts associated with buildout of the San Jose 2020 General Plan would be considered significant and unavoidable.

STATEMENT OF OVERRIDING CONSIDERATION: Although implementing the Kelley Park Master Plan would contribute to significant unavoidable cumulative air quality impacts resulting from the implementation of the San Jose 2020 General Plan, the project would provide regional and neighborhood park and recreation benefits associated with an expanded park facility. In addition to filling a need for additional regional park facilities, including additional picnic areas and open space, the implementation of the Kelley Park Master Plan would include the construction of a neighborhood park to meet local neighborhood demand in an area of the City that is currently neighborhood park deficient. Providing park facilities that conveniently serve the local neighborhood will, in the long-term, reduce park and recreation related traffic (and therefore CO emissions) because neighborhood residents will no longer need to drive to other city parks outside their neighborhood for access to recreation facilities. The benefits of the local neighborhood park and of increased regional park facilities would outweigh the significant and unavoidable cumulative air quality impact of the project.

4. IMPACT: Implementation of the proposed project would contribute to cumulative impacts related to the use of limited natural resources in the San Jose area. Future growth in the city would increase the demands on public services and facilities. Utilities, such as gas, electric and telephone, have plentiful resources and are not expected to be substantially affected by future growth. Implementation of the proposed project would not substantially contribute to the

increased cumulative demand for public services because of the small scale of the project. The overall cumulative public service and utility impacts from future growth in the city would result in significant impacts.

MITIGATION: Implement Level of Service Policies and Services and Facilities Policies of the San Jose 2020 General Plan.

FINDINGS: Cumulative public service and utilities impacts associated with the San Jose 2020 General Plan will be mitigated to less-than-significant levels by implementing policies in the San Jose 2020 General Plan. The Kelley Park Master Plan includes mitigation to provide adequate sewer and drainage facilities for park expansion and the Happy Hollow Zoo.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

5. IMPACT: Future development allowed under the San Jose 2020 General Plan could result in potential hazardous materials impacts from siting future residential or other sensitive uses on potentially contaminated sites or in areas of future or existing industrial or commercial operations that use hazardous materials. This potential cumulative impact is considered significant.

MITIGATION: Implement plans and policies in the "Hazards" chapter of the San Jose 2020 General Plan.

FINDINGS: Cumulative public health and safety impacts associated with buildout under the San Jose 2020 General Plan would be mitigated to less-than-significant levels by implementing policies indicated above. Mitigation measures included in the proposed Kelley Park Master Plan reduce any potential of any impacts to a less than significant impact.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

6. IMPACT: Under the San Jose 2020 General Plan, hazards associated with seismic activity, weak and expansive soils, and erosion could potentially affect future development.

MITIGATION: Implement the "Community Development" and "Hazards" chapter policies of the San Jose 2020 General Plan.

FINDINGS: Cumulative geology and soils impacts associated with buildout under the San Jose 2020 General Plan would be considered significant and will be mitigated to less-than-

significant levels by implementing policies indicated above. Mitigation measures included in the proposed Kelley Park Master Plan reduce potential cumulative geology and soils impacts to a less-than-significant level.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

7. IMPACT: Development allowed under the San Jose 2020 General Plan could result in cumulative impacts on cultural resources because more than 50 historic and prehistoric sites have been identified in the city, and presently unidentified cultural resource sites could be discovered in city development areas. Development of open space areas, such as in the South Almaden Valley Urban Reserve and areas along Coyote Creek, could affect important cultural resource sites in these sensitive areas.

MITIGATION: Implement the "Aesthetic, Cultural, and Recreational Resources" chapter policies of the San Jose 2020 General Plan.

FINDINGS: Cumulative cultural resource impacts associated with buildout under the San Jose 2020 General Plan would be considered significant and will be mitigated to less-than-significant levels by implementing policies indicated above. Mitigation measures included in the proposed Kelley Park Master Plan reduce potential cumulative cultural resources impacts to a less-than-significant level.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

8. IMPACT: Development allowed under the San Jose 2020 General Plan, particularly in the South Almaden Valley Urban Reserve and at development sites along Coyote Creek, could affect the water quantity and quality of stormwater runoff to Coyote Creek by increasing impervious surfaces in undeveloped open space and agricultural areas. Implementation of the Kelley Park Master Plan would contribute to cumulative hydrology and water quality impacts.

MITIGATION: Implement planned Coyote Creek flood improvements and the requirements of the SCVWD and "Community Development" and "Hazards" chapter policies of the San Jose 2020 General Plan

FINDINGS: Cumulative Coyote Creek hydrology and water quality impacts associated with buildout under the San Jose 2020 General Plan would be considered significant and will be

mitigated to less-than-significant levels by implementing policies indicated above. Mitigation measures included as conditions of the proposed Kelley Park Master Plan would reduce potential cumulative water quality and flooding impacts of the project to a less-than-significant level.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

9. IMPACT: Development allowed under the San Jose 2020 General Plan would increase the amount of developed land in the city, reducing natural habitats and resulting in further human encroachment on wildlife areas. Impacts on vegetation and wildlife resulting from citywide growth would include disturbance of wetland and riparian habitats, impacts on special-status species, and removal of large, ordinance-protected trees and other types of vegetation. Impacts on wetlands, riparian areas, and special-status species could occur at a number of locations in the city, including the South Almaden Valley Urban Reserve and development sites 2 and 3.

MITIGATION: Implement the "Natural Resources" chapter policies of the San Jose 2020 General Plan.

FINDINGS: Cumulative vegetation, wildlife, and fisheries resources impacts associated with buildout under the San Jose 2020 General Plan would be considered significant and will be mitigated to less-than-significant levels by implementing policies indicated above. Mitigation measures included in the proposed Kelley Park Master Plan would reduce potential cumulative wildlife, vegetation and fisheries impacts of the project to a less-than-significant level.

MONITORING AND REPORTING: The City Planning Department will implement the General Plan policies during review of future development allowed by the General Plan, as administered by the Planning Director.

EVALUATION OF ALTERNATIVES

Several alternatives have been identified by the City to determine the environmentally superior alternative. The five alternatives evaluated in this EIR are:

1. No-Project Alternative,
2. Phelan Avenue and Story Road Trolley Expansion Alternative,
3. Offsite Parking Alternative,
4. Pedestrian Bridge Crossing Alternative, and
5. Alternate Project Location Alternative

1. No-Project Alternative

The No-Project Alternative assumes that the expansion and upgrading of Kelley Park facilities would not occur as proposed under the Kelley Park Master Plan. Current park conditions, constraints, and opportunities would prevail in future years.

Under the No-Project Alternative both the adverse and the beneficial effects of implementing the Master Plan would be eliminated. This alternative would avoid possible land use conflicts with residents on Roberts Avenue and would divert traffic congestion impacts at park entrances on Story and Senter Roads to other areas of the city. Direct physical changes to the project site would be avoided, including parking lot development on the Roberts Avenue Landfill and modification of the Coyote Creek riparian corridor for the trolley trestle and the pedestrian bridges.

Under this alternative, traffic congestion on Senter and Story Roads and Roberts Avenue would be the same as currently experienced, and onsite parking would continue to be inadequate on peak summer weekends compared to the conditions under the proposed Master Plan. Noise and air quality would be similar to existing conditions.

Under the No Project alternative, impacts to the public services and utilities would be less than under the proposed Master Plan. The sewer main extending from Story Road would likely need to be upgraded to eliminate the current capacity problem. No potential public health or safety effects associated with the landfill or site geology would occur under this alternative.

This alternative would have less impacts to cultural resources. It would avoid the sensitive cultural resource site located in the SJHM expansion area and would eliminate the possibility of restoring the historic Kelley House. Current impacts on existing cultural resources could continue.

Under this alternative, no additional impervious surfaces would be introduced to the site that could increase the flow of surface pollutants to Coyote Creek or that would affect the current flooding patterns. During severe storms, the Happy Hollow Zoo and the Japanese Friendship Garden would continue to flood. Coyote Creek would be unaltered, thus eliminating the need to restore portions of the riparian corridor and to compensate for temporary vegetation, wildlife, and fisheries impacts.

Impact Conclusion. The No-Project Alternative would create fewer adverse environmental effects at the project site than the proposed Kelley Park Master Plan would. This alternative would not meet the objectives of the proposed master plan.

The no-project alternative would be the environmentally superior alternative.

2. Phelan Avenue and Story Road Trolley Expansion Alternative

The Phelan Avenue and Story Road Trolley Expansion Alternative would extend the Historic Trolley tracks into Phelan Avenue south to Senter Road and north to Story Road along the park boundary as proposed in the Kelley Park Master Plan. Under this alternative, the planned widening of Story Road would not occur, and the trolley tracks would be incorporated into the existing Story Road right-of-way at the Coyote Creek crossing instead of building a new trestle. This alternative would also eliminate the proposed future extension of Phelan Avenue east across the southern site boundary between Senter Road and Roberts Avenue. Possible future decisions to eliminate the Phelan Avenue extension and Story Road widening would occur under a separate planning processes.

Under this alternative the land use and visual impacts would be similar to those of the proposed Master Plan because eliminating the Phelan Avenue extension and the trolley trestle across Coyote Creek would not reduce the visual effects of the eastern parking lot or potential land use conflicts that could affect the Roberts Avenue residents.

This alternative would place the trolley tracks on Story Road across Coyote Creek rather than on a separate trestle. This change could potentially result in an increase in conflicts between the trolley and other vehicles on Story Road. The aspect of this alternative dealing with Phelan Avenue would result in small changes in the circulation pattern around Kelley Park. More vehicles would use Story Road or other parallel streets. Not extending Phelan Avenue would also prevent the increases in traffic on Roberts Avenue that would likely accompany that extension.

Under Phelan Avenue/Story Road Trolley Expansion alternative, air quality impacts associated with construction of a new trestle and Phelan Avenue would be eliminated and overall air quality emissions from construction would be less than under the proposed Master Plan. Traffic-related air quality impacts would be the same as identified for the proposed Master Plan.

Under this alternative, noise impacts, geologic and soil hazards, and impacts to public services and facilities would be the same or similar to those identified for the proposed Master Plan.

Implementation of this alternative would result in the same public health and safety issues associated with the Roberts Avenue Landfill as described for the proposed Master Plan because eliminating the Phelan Avenue extension and the

trolley trestle would not change health and safety conditions at the landfill.

Implementation of this alternative would result in less impact to archaeological site KP-1 because Phelan Avenue would not be extended through the eastern portion of the site area. Implementation of this alternative would also reduce the likelihood of impacts to unidentified cultural resources (i.e., buried sites) because less ground-disturbing activities would occur along Coyote Creek, the most archaeologically sensitive area of the park.

Implementation of the Phelan Avenue/Story Road Trolley Expansion alternative would have less flooding and water quality impacts than the impacts the proposed Master Plan because impervious surfaces associated with extending Phelan Avenue and the trolley trestle would be eliminated. This alternative would also require slightly less modification of the Coyote Creek riparian corridor and would result in a decrease in temporary erosion and siltation impacts associated with project construction.

Implementation of this alternative would result in less impacts to vegetation, wildlife, and fisheries resources because eliminating the Phelan Avenue and trolley trestle crossing of Coyote Creek would reduce the direct and indirect impacts on biological resources in the riparian corridor.

Impact Conclusion. The Phelan Avenue and Story Road Trolley Expansion Alternative would result in reduced impact with respect to construction air quality, archaeology, flooding and erosion, and biotics. This alternative would have similar impact on land use and visual resources, air quality (from traffic) noise, health and safety, geology and soils. This alternative would meet the objectives of the Kelley Park Master Plan.

3. Offsite Parking Alternative

The Offsite Parking Alternative would reduce onsite parking proposed under the Kelley Park Master Plan. All other proposed park features would be the same as identified in the Master Plan. An additional deficit of approximately 200 parking spaces would be designed into the park master plan, reducing the total parking at the eastern parking from 1,252 spaces to 1,052 spaces. The additional parking need would be accommodated at the Keyes Avenue parking lot, City Central Services Yard parking lot, and municipal stadium parking lot, as currently indicated in the Master Plan. The City also would continue to explore other offsite parking alternatives with other organizations, including shared use of San Jose State University facilities.

Implementation of this alternative could incrementally reduce the adverse visual effects associated with siting the eastern parking lot adjacent to residences on Roberts Avenue. Reducing the number of parking spaces could result in a larger buffer area located between the parking facility and sensitive residential uses on Roberts Avenue. However, because onsite parking would not accommodate the demand expected for the proposed park facilities, nuisance complaints related to park patrons searching for parking areas in adjacent residential areas near Kelley Park could increase. Pursuing parking opportunities at an offsite location could also create adverse visual land use conflicts at the alternate site.

Reducing the size of the eastern parking lot by 200 spaces would reduce the severity of traffic impacts at the intersection of the parking lot entrance with Story Road, as well as the conflicts between this intersection and the Story Road/Roberts Avenue intersection.

Under this alternative, construction and traffic related air quality impacts, noise impacts, and impacts to public services and facilities would be similar to those identified for the proposed Master Plan. Noise impacts would be similar to the impacts under the proposed Master Plan.

Implementation of the Offsite Parking alternative would result in similar public health and safety impacts as described for the proposed master plan. Reducing the amount of parking that would be constructed on the landfill could incrementally reduce the amount of landfill cap disturbance, but impacts would still be similar because the entire landfill area would likely need to be graded or treated with engineered fill regardless of the precise extent of parking facilities.

Implementation of this alternative would have geology and soils impacts similar to those of the proposed Master Plan; however, reducing the amount of parking on the landfill could reduce the potential for differential settlement or slope failure.

This alternative would result in similar impacts to cultural resources as described for the proposed Master Plan. No impacts on cultural resources at the offsite location are expected because the alternative site location would likely be in a disturbed area or an existing paved lot. No offsite activities that could disturb buried cultural resources are expected to result from this alternative.

The offsite parking alternative would generally have the same incremental flooding and water quality impacts as described for the proposed Master Plan if the acreage of impervious surfaces remain roughly similar to that of the proposed master plan. Under this alternative, there would be 200 fewer parking spaces at the park, reducing the volume of stormwater

runoff generated from the existing parking area. If offsite parking is accommodated at existing parking areas in the project vicinity, stormwater and water quality impacts could be incrementally less than for the proposed Master Plan because a slightly smaller impervious surface area would be constructed compared to the proposed Master Plan.

This alternative would have the same effect on vegetation, wildlife, and fisheries resources as for the proposed Master Plan.

Impact Conclusion. The Offsite Parking Alternative would create similar environmental impacts as the proposed Kelley Park Master Plan. This alternative would meet the objectives of the project.

4. Pedestrian Bridge Crossing Alternative

The Pedestrian Bridge Crossing Alternative would modify pedestrian circulation to the eastern park by eliminating the southern pedestrian bridge. All other proposed park features would be the same as the identified in the proposed Kelley Park Master Plan. The northern bridge crossing would provide the only eastern/western park pedestrian access.

Implementation of this alternative would create the same vehicular transportation and circulation impacts, nuisance and visual resource impacts, public health and safety impacts associated with the Roberts Avenue Landfill, and public services and facilities impacts as identified for the proposed Master Plan.

The Pedestrian Bridge Crossing alternative would result in similar impacts for construction and traffic related air quality, and noise to the proposed Master Plan.

Implementation of this alternative would reduce the need to prepare detailed geotechnical information at the southern bridge site. Geologic and soil hazards in other portions of the site would be the same as for the proposed Master Plan.

Implementation of this alternative would result in similar impacts to cultural resources as identified for the proposed Master Plan because one sensitive cultural site could still be affected and no cultural resources were identified at the southern bridge site. Impacts to any unidentified cultural resources (i.e., buried sites) that could occur at the southern pedestrian bridge site would be avoided.

Implementation of this alternative would result in less potential for flooding than identified for the proposed Master Plan because eliminating the southern pedestrian bridge would eliminate a substantial impediment to Coyote Creek floodflows. Although detailed modeling of the incremental flooding effects

in Coyote Creek caused by the bridge has not yet been prepared, it is likely that this bridge structure would increase upstream flooding in the floodplain because the proposed bridge design could restrict the Coyote Creek channel capacity at the structure. Under this alternative, the increase in the 100-year flood elevation caused by the southern pedestrian bridge would be avoided.

Implementing the pedestrian bridge crossing alternative would result in less impact on riparian habitat and wetlands than that described for the proposed master plan because the southern bridge site would not be disturbed. The amount of riparian habitat that would be affected under this alternative would be 10% to 20% less than what would occur under the proposed Master Plan. Potential wetland impacts would be reduced by as much as 30% to 40% compared to the proposed master plan.

Impact Conclusion. The Pedestrian Bridge Crossing Alternative would create less flooding and biological impacts than the proposed Master Plan. All other impacts would be the same or similar to the Kelley Park Master Plan. This alternative would meet the objectives of the project, although pedestrian circulation would probably be less efficient than under the proposed Master Plan. When the no-project alternative is identified as environmentally superior CEQA requires that a second alternative be identified as environmentally superior. The no-bridge alternative has been identified as the second environmentally superior alternative.

5. Alternate Project Location Alternative

The Alternate Project Location Alternative assumes that the proposed neighborhood park, Natural Science Exhibit Building, and picnic areas would be located at two alternative sites south of Kelley Park: the Carroll property (APN 477-20-026) and the Police Department stables property. The Carroll property is approximately 3 acres, located between Senter Road and the future extension of Wool Creek Drive. The police stable property is approximately 10 acres, located south of Tully Road on the northern side of Coyote Creek and immediately adjacent to the police department stables. Both sites are owned by the City and designated on the General Plan Land Use/Transportation Diagram for public park and open space use. The sites could be connected by future extension of the Coyote Creek trail.

The magnitude of land use and visual effects at the alternate sites would be considerably less than under the proposed Kelley Park Master Plan because this alternative would develop approximately 13 vacant acres compared to 56 vacant acres under the proposed master plan. Visual effects associated with parking under this alternative would likely be less than under the proposed Master Plan because parking at these sites

would be a small portion of the total site area and because parking would not be located in a visually dominant area as with the proposed master plan. Developing the Carroll property could potentially affect use of one parcel adjacent to Senter Road.

Relocating the proposed neighborhood park, Natural Science Exhibit Building, and picnic areas at alternative sites would result in fewer impacts at Kelley Park and greater impacts at the relocation sites. Fewer people would travel to Kelley Park, reducing parking and traffic volume related impacts.

Under this alternative, construction and traffic related air quality impacts, and noise impacts, would be similar to the impacts identified for the proposed Master Plan

Implementation of this alternative would create less demand for public services and facilities than under the proposed master plan because only 13 acres would be developed, and the increased park attendance that could be expected under this alternative would be considerably less than what would occur under the proposed Master Plan.

Implementation of this alternative would create less potential for public health and safety impacts because neither site has previously been used as a landfill; therefore, the potential for encountering hazardous or infectious waste at these sites would likely be less than at the proposed master plan site.

Implementation of this alternative would likely result in similar geologic and soil hazards as identified for the proposed Master Plan because both sites are located in or near the Coyote Creek floodplain and alluvial soils similar to those in the proposed Master Plan site could be encountered. The Natural Science Exhibit Building and neighborhood park facilities would be subject to the same seismic hazard as in the project area.

Implementation of this alternative could result in a similar potential for impacts on identified and unidentified cultural resources as described for the proposed Master Plan because several prehistoric and historic archaeological sites have been recorded in the vicinity of the two alternative project locations. Because the alternative sites are near Coyote Creek, they are both considered to have high cultural resource sensitivity.

Implementation of this alternative would have less impact on Coyote Creek flooding and water quality than the proposed Master Plan because the amount of impervious surface associated with this project would be substantially less than under the proposed Master Plan and because no bridge crossings are proposed. The volume of surface water runoff to Coyote Creek

that carries urban pollutants would be minor compared to the proposed Master Plan.

This alternative would have substantially less impact on vegetation, wildlife, and fisheries resources than the proposed Master Plan because all park development would occur outside the Coyote Creek riparian corridor, no bridge or road crossings of the creek would occur, and the sites are currently vacant.

Impact Conclusion. The Alternate Project Location Alternative would generally create less land use and visual resource impacts, transportation and circulation effects, public health and safety hazards, and biological resource effects because the proposed sites would be substantially smaller in size than the expansion area under the proposed master plan. This alternative could meet some of the objectives of the project but would not adequately meet the demand for additional picnic areas in Kelley Park or locate the neighborhood park facilities within easy walking distance of the neighborhood they would be intended to serve.

ADOPTED this 27th day of June, 1995 by the following vote:

AYES: DANDO, DIAZ, DIQUISTO, FERNANDES, FISCALINI, JOHNSON, PANDORI, POWERS, SHIRAKAWA, WOODY; HAMMER

NOES: NONE

ABSENT: NONE

Susan Hammer
Susan Hammer, Mayor

ATTEST:

Patricia L. O'Hearn
Patricia L. O'Hearn, City Clerk